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# Instructions

# Divorce - With Minor Children

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## Summons

### Before You Begin

- Use the Terms & Definitions of frequently used family law terms, available in the Family Court Self-Help Center and on the website, to look up words you do not understand.
  - Be sure that you file your case in the correct county. You or your spouse must have lived in the State of Wisconsin for at least 6 months and in Waukesha County for at least 30 days before the day you file the divorce action.
  - Make sure you have chosen the correct forms for your case.
  - **Caution!** The court requires you to sign some forms in the presence of a Notary Public.
  - Be prepared to pay the filing fees required for your specific court matter.
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*The instructions that are given in the Summons form are directed toward your spouse, the **RESPONDENT**.*

### Caption

The top of a legal document is called the caption. In the caption of the **Summons**, print your full name (first name, middle initial, and last name) on the line above the word **PETITIONER**. Print your complete address on the lines below your name. Your spouse is the **RESPONDENT**. Print your spouse's full name and address. Call the Child Support Division at (262) 548-7420 to determine if the State of Wisconsin is a party to this case. The State is a party if either you, your spouse, or the children have ever received or applied for public assistance. Mark only one box with an **X** to report if the State is a party or not.

A clerk in the Family Court Office will fill in the case number when you file the action. This is an important number that you will need to remember and submit with all other documents you present to the court. When you file the case, the clerk will also stamp on your forms the name of the Judge that has been assigned to your case.

In the section just below the case number, indicate with an **X** if you are requesting a **Divorce** or **Legal Separation**.

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### Document

**Paragraph 3:** Print your full name and address on the lines.

Read the remainder of the **Summons** AND **date and sign** at the bottom of page 3.

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**Pages 5-8**, entitled **Child Support Percentage of Income Standards**, are attached to explain the rules that determine a reasonable amount of child support to be paid. **Read** the entire document and **serve** a copy on your spouse along with the **Summons & Petition** after they have been filed.